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16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 CHRIS MICHAELS, individually; DEIAN
19 BORISLAV KOLEV, individually; and
CHRISTINE LE, individually;

20 Plaintiff,
vs.

21 DMITRY PUSTYLNIKOV, individually;
KNIGHT TRANSPORTATION, INC., a
Foreign Corporation; DOES I through XX,
inclusive; and ROE CORPORATIONS I
through XX, inclusive,

22 Defendants.

23 CASE NO: 2:21-cv-00484-JAD-BNW

24 **STIPULATION TO EXTEND
DISCOVERY PLAN AND SCHEDULING
ORDER
(SECOND REQUEST)**

25 **SUBMITTED IN COMPLIANCE WITH
LR 26-1(B)**

26 Plaintiffs, CHRIS MICHAELS, DEIAN BORISLAV KOLEV, and CHRISTINE LE, by
27 and through their attorneys of record BRADLEY S. MAINOR, ESQ., JOSEPH J. WIRTH, ESQ.,
ASH MARIE BLACKBURN, ESQ., and JOSEPH W. GUINDY, ESQ., of MAINOR WIRTH,
28 LLP, Defendants DMITRY PUSTYLNIKOV and KNIGHT TRANSPORTAION, INC. by and
through their counsel of record JOEL D. ODOU, ESQ., ANALISE N. M. TILTON, ESQ. and
SUSANA SANTANA, ESQ., of WOOD, SMITH, HENNING & BERMAN, LLP, hereby submit
their Stipulated Discovery Plan and Scheduling Order pursuant to Fed R. Civ. P. 26(f) and Local

1 Rule 26-1.

2 **I. Discovery Conducted to Date (LR 26-4(a)):**

3 Both parties have submitted their initial FRCP 26.1 disclosures. Both parties have served
4 written discovery requests. Plaintiffs have responded to Defendant Dmitry Pustynikov's
5 Interrogatories, Requests for Production of Documents, and Requests for Admission. Plaintiffs
6 have provided Defendants with requested authorizations, allowing Defendants the ability to
7 request Plaintiffs' medical and employment records for the five years prior to the accident to the
8 present. Plaintiffs are in the process of obtaining availability for their depositions. Defendants
9 Dmitry Pustynikov and Knight Transportation have each responded to Plaintiff Deian Kolev's
10 Interrogatories, Requests for Production of Documents, and Requests for Admission. On August
11 31, 2021, Plaintiff served a letter to Defendants requesting supplemental responses to Plaintiff's
12 written discovery requests. On October 7, 2021 Defendants served supplemental responses and
13 are obtaining availability for the deposition of Defendant Pustynikov. Both parties have
14 supplemented their Initial Disclosures pursuant to FRCP 26.1.

15 **II. Discovery to Be Conducted (LR 26-4(b)):**

- 16 • Deposition of Defendant Pustynikov;
17 • Deposition of Plaintiffs;
18 • Deposition of Witness Renzo Cubas;
19 • Deposition of Witness Sam Molina;
20 • Deposition of Witness Loren Richardson;
21 • Deposition of Witness Eric Brand;
22 • Additional Written Discovery;
23 • Production of Expert Reports;
24 • Rebuttal expert witness reports;
25 • Treating Physician Depositions; and
26 • Expert Depositions

27 ///

28 ///

1 **III. The Reasons the Remaining Discovery Cannot Be Completed Within the Time**
 2 **Limits Set by The Discovery Plan (LR 26-4(c)):**

3 This extension is requested as a result of the continued developments and effects regarding the
 4 COVID-19 emergency, which have delayed the ability to obtain independently requested medical
 5 records, delayed crucial depositions, and has significantly hindered other remaining discovery in
 6 this action. Due to scheduling conflicts, the parties have been unable to schedule the requested
 7 depositions. Additionally, all Plaintiffs are still receiving medical treatment for injuries sustained
 8 as a result of the subject collision. Accordingly, additional time will be needed to complete the
 9 remaining discovery.

10 **IV. Proposed Schedule for Completing All Remaining Discovery (LR 26-4(d)):**

11 The current discovery deadlines are as follows:

- | | |
|--|--------------------|
| 12 1. Discovery Cutoff (LR 26-1(b)(1)): | December 17, 2021 |
| 13 2. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | September 20, 2021 |
| 14 3. Initial Expert Disclosures (LR 26-1(b)(3)): | October 18, 2021 |
| 15 4. Rebuttal Expert Disclosures (LR 26-1(b)(3)): | November 16, 2021 |
| 16 5. Dispositive Motions (LR 26-1(b)(4)): | January 17, 2022 |
| 17 6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)): | February 15, 2022 |

18 The parties propose extending all discovery deadlines by **sixty (60) days** as follows:

- | | |
|--|-------------------|
| 19 1. Discovery Cutoff (LR 26-1(b)(1)): | February 15, 2022 |
| 20 2. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | November 19, 2021 |
| 21 3. Initial Expert Disclosures (LR 26-1(b)(3)): | December 17, 2021 |
| 22 4. Rebuttal Expert Disclosures (LR 26-1(b)(3)): | January 15, 2022 |
| 23 5. Dispositive Motions (LR 26-1(b)(4)): | March 18, 2022 |
| 24 6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)): | April 16, 2022 |

DATED this 11th day of October, 2021.

MAINOR WIRTH, LLP

/s/ *Joseph W. Guindy*

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Attorneys for Plaintiffs

DATED this 11th day of October, 2021.

**WOOD, SMITH, HENNING & BREMAN,
LLP**

/s/ *Analise N. M. Tilton*

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*Attorneys for Defendants Dmitry Pustynikov
and Knight Transportation, Inc.*

IT IS SO ORDERED.

ORDER


UNITED STATES MAGISTRATE JUDGE

October 12, 2021

DATED: _____

Joey Guindy

To: Analise N. M. Tilton; Ash Blackburn; Natalie Cothran
Cc: Susana Santana; Johana Whitbeck; Lindsay Hayes
Subject: RE: Michaels et al v. Knight - Stipulation

From: Analise N. M. Tilton <atilton@wshblaw.com>
Sent: Thursday, October 7, 2021 12:16 PM
To: Joey Guindy <jguindy@mwinjury.com>; Ash Blackburn <Ash@mwinjury.com>; Natalie Cothran <Natalie@mwinjury.com>
Cc: Susana Santana <SSantana@wshblaw.com>; Johana Whitbeck <JWhitbeck@wshblaw.com>; Lindsay Hayes <Lindsay@mwinjury.com>
Subject: RE: Michaels et al v. Knight - Stipulation

Hi Joey,

Just a few minor changes (tracked on the attached). With those changes you may use my e-signature. Thanks!

Analise N. M. Tilton

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From: Joey Guindy <jguindy@mwinjury.com>
Sent: Wednesday, October 6, 2021 5:37 PM
To: Analise N. M. Tilton <atilton@wshblaw.com>; Ash Blackburn <Ash@mwinjury.com>; Natalie Cothran <Natalie@mwinjury.com>
Cc: Susana Santana <SSantana@wshblaw.com>; Johana Whitbeck <JWhitbeck@wshblaw.com>; Lindsay Hayes <Lindsay@mwinjury.com>
Subject: [EXTERNAL] RE: Michaels et al v. Knight - Stipulation

Hi Analise,

Please see the attached proposed stipulation to extend discovery deadlines and let me know if I may use your e-signature.

Thanks,
Joey

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